

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MOUNTAIN STATES CRANE, LLC,  
a New Mexico Limited Liability Company,

Plaintiff,

v.

No. 1:17-cv-1169-JCH-KRS

ARS ALEUT REMEDIATION, LLC,  
(AAR), an Alaska Limited Liability Company, and  
ARS INTERNATIONAL, LLC (ARS), an Alaska  
Limited Liability Company, jointly and severally,

Defendants.

**SCHEDULING ORDER**

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on March 15, 2018. At the hearing, the Court adopted the parties proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below.

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of thirty (30) interrogatories per party to the other party with responses due thirty (30) days after service.
- (b) Maximum of thirty (30) requests for admission per party to the other party with responses due thirty (30) days after service.
- (c) Maximum of three (3) depositions by Plaintiff and fifteen (15) by Defendants. The parties may seek leave of the Court should a greater number be required. All


depositions are limited to a maximum of seven (7) hours unless extended by the parties' agreement during the deposition.

**IT IS FURTHER ORDERED** that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **April 13, 2018;**
- (b) Deadline for Defendants to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **April 27, 2018;**
- (c) Plaintiff's expert-disclosure deadline: **September 14, 2018;**
- (d) Defendants' expert-disclosure deadline: **October 15, 2018;**
- (e) Deadline for supplementing discovery/disclosures: **within thirty (30) days of the event triggering supplementation;**
- (f) Termination of discovery: **November 15, 2018;**
- (g) Motions relating to discovery: **November 30, 2018;**
- (h) All other motions: **December 14, 2018;**
- (i) Pretrial order: Plaintiff to Defendant by: **March 11, 2019;**  
Defendant to Court by: **March 19, 2019.**

**IT IS FURTHER ORDERED** that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery

deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in black ink, reading "Kevin Sweazea", written over a horizontal line.

KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE